

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ERNEST WOODALL,	)	2:11cv607
	)	Electronic Filing
Petitioner,	)	
	)	Judge David Stewart Cercone
v.	)	Chief Magistrate Judge Lisa Pupo Lenihan
	)	
JEROME W. WALSH, <i>Superintendent</i>	)	
AND THE ATTORNEY GENERAL	)	
OF THE STATE OF	)	
PENNSYLVANIA,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

Pending before the Court is a Report and Recommendation issued by Chief Magistrate Judge Lisa Pupo Lenihan on August 1, 2013. ECF No. 20. The magistrate judge recommended that the Petition for Writ of Habeas Corpus be denied and that a certificate of appealability also be denied. *Id.* The parties were served with the Report and Recommendation and informed that they had until August 19, 2013, to file written objections. *Id.* After moving for multiple extensions of time to file said objections and for the Court to appoint him counsel, Petitioner finally filed what the Court construed to be objections, but what he actually captioned as a “Motion to Compel Answering of Fundamental Questions.” *See* ECF Nos. 21-31. After the objection deadline was extended until October 15, 2013, Petitioner again filed several motions, including another request for additional time and another “Motion to Compel Answering of Fundamental Questions,” which the Court again construed as objections. *See* ECF Nos. 32-37 and Text Orders dated October 11, 16, & 18, 2013. After the objection deadline was extended one last time, this time until November 15, 2013, Petitioner filed more motions, which were

construed as objections, and finally a Motion to Rest on the Pleadings. *See* ECF Nos. 38-41 and Text Orders dated October 23 and November 1 & 11, 2013.

The Court has reviewed and considered all of Petitioner's filings that were construed as objections to the magistrate judge's Report and Recommendation, and finds that they do not undermine her recommendation that the petition be denied. There are no objections that warrant further discussion over the thorough and detailed analysis of Petitioner's claims, which were addressed on their merits in the magistrate judge's Report. Therefore, after *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, and the objections thereto, the following order is entered.

**AND NOW**, this 19<sup>th</sup> day of November, 2013,


**IT IS HEREBY ORDERED** that the Petition for Writ of Habeas Corpus (ECF No. 1) is **DENIED**.

**IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation dated August 1, 2013, (ECF No. 20), is **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this case **CLOSED**.

**AND IT IS FURTHER ORDERED** that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Petitioner has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

  
David Stewart Cercone  
United States District Judge

cc: Ernest Woodall  
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(*Via First Class Mail*)

Leanne K. Shipley, Esquire  
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